IN THE HIGH COURT OF BOMBAY AT GOA

APPEAL UNDER ARBITRATION ACT NO. 2 OF 2007

UNION OF INDIA REPRESENTED BY
COMMANDER WORKS ENGINEER (P) ... Appellant

Versus

M/S. BALRAJ SUD ... Respondent

Mr. C.A. Ferreira, Asst. S.G. for the appellant.

Coram:- R. S. MOHITE, J.

Date:- 2nd November, 2007

P.C.

The only point which was argued in this appeal was that the arbitrator has misconducted himself in the proceeding and he had not followed the amended clause of arbitration agreement amended in October 1986 which stated that if the value of the claim of the counterclaim in the arbitration reference exceeded to Rs.1 Lac, the arbitrator would give reasons for his award. The Arbitrator thus erred in giving non-speaking award. By my order dated 28.9.2007 I had directed the Advocate for the appellant to produce the signed contract as well as copy of amendment on next date. Fair statement is made that the amendment which is relied upon was not signed by the respondent. In this view of the matter, nothing survives in the appeal and same stands rejected.

R. S. MOHITE, J.

SMA